

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, September 18, 2012 at 7:00 p.m.

**PRESENT:**

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
Jodi Giglio,	Councilwoman

**ALSO PRESENT:**

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

**DEPARTMENT HEADS PRESENT:**

Dave Hegermiller  
Chris Kempner  
Bill Rothaar  
Gary Pendzick  
Ray Coyne  
Jeff Murphree  
Richard Hanley  
Meg Ferris

**ABSENT:**

George Gabrielsen,	Councilman
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(The meeting was opened at 7:00 p.m.)

(The Pledge of Allegiance was recited, led by the Webelos)

Supervisor Walter: "And we're going to have an invocation by Rev. Mary Cooper."

Rev. Cooper, would you like us to sit or stand or- "

Rev. Mary Cooper: "Remain standing."

Supervisor Walter: "That would be wonderful. You can pull that right down."

Rev. Mary Cooper: "Let's bow our heads in prayer."

Father, God, we thank you for the privilege and the honor of coming to a place where we can meet and deliberate, give our dreams, our visions, and that we can talk and share with one another oh God.

We thank you so much this night oh God for holding the storm and allowing these young citizens to come to see how the government works.

We ask the blessing upon their supporters and their supervisors and their parents, we ask that you give wisdom and understanding to our town councilmen, oh God.

We ask, oh God, that those who are bringing their petitions, oh God, will share their dreams to make this a better place and Lord we just want to ask, oh God, that you make it so that we can enjoy the peace and the prosperity as it is in heaven, as it also shall be on earth.

And we thank you for this moment in Jesus' name. Amen."

Supervisor Walter: "Thank you very much, Rev. Cooper. That was wonderful. She's from the House of Praise. You're right on Roanoke Avenue still, right, Rev. Cooper?"

All right. Thank you very much.

Okay, so we're going to do a proclamation to the Riverhead ambulance corps and, Joe, now- is it Sakulsky (phonetic)? There you go. He tried to tell me not to say it a certain way and that's what was going to come out.

Joe, come on up. I'm going to read this briefly.

This is a proclamation in appreciation of the Riverhead

ambulance.

Whereas, it is both fitting and proper for the town board and the residents of Riverhead to recognize individuals that have provided service to the community above and beyond the standard.

Whereas, emergency medical service is a vital public service.

Whereas, the Riverhead volunteer ambulance corps was founded in 1978. John, were you there?"

Councilman Dunleavy: "Yes."

Supervisor Walter: "Figures that."

And it was a group of 15 citizens, probably Marie Dunleavy being one of them. Now it stands as an organization with nearly 100 members and it is the only volunteer ambulance corps that is-- it's a department of the municipality of New York State-- it is the only volunteer ambulance corps that is a department of a municipality in New York State, that's interesting.

The members of the ambulance corps are ready to provide life saving care 24 hours a day and you guys serve on the front lines. You have access to emergency care that dramatically improves the survival and recovery rate of those with sudden illnesses and injuries.

Whereas, the members of the emergency medical service teams whether they are career or volunteer engage in thousands of hours of specialized training.

Let it now further-- now, further let it be known that the town of Riverhead wishes to thank the Riverhead volunteer ambulance corps for their tireless exceptional service and ask the town board and the residents of the town of Riverhead to join together in memory of all those fallen Riverhead volunteer ambulance corps heroes.

And be it therefore resolved that I and the town board of the town of Riverhead hereby declare that this is-- today be

known as Riverhead town volunteer ambulance corps day.

Joe, we want to give that to you. We appreciate that. This is Joe? Don't tell his wife.

Okay, so I want- guys, you see- I don't want to say you guys volunteer because you're not necessarily volunteering being Webelos but you get involved in an activity, you get involved in getting merit badges, you get involved in doing things to help the community.

You know what? I know some of you will be? You will be Riverhead fire department or volunteer ambulance corps workers or Wading River fire department or Jamesport fire department because it's the folks like you that make the people like them when they grow up.

So I just- Joe, take a look at them. Some of them are going to be in your ranks. So, thank you, guys.

All right, thank you very much.

Okay. There is- you'll notice Councilman Gabrielsen is not here. Due to the inclement weather, Councilman Gabrielsen actually has a farm upstate and he was moving piglets down here and he was not able to come, to continue the journey to get home because of heavy winds and rain that they're experiencing upstate.

So he's hold up some place and couldn't make the board meeting so we hope for his safe return tomorrow.

Okay, so cub scout pack 404, Webelos, which two are going to tell us why you're here today? Okay. Well, you come up first, you come up second. There's a microphone right there on the table. Stand and face the camera, tell us why you are here, what you are doing. Start with your name."

Skip Weaver: "We're here today to ask the town supervisor questions about his job."

Supervisor Walter: "Okay."

Councilman Dunleavy: "Introduce yourself. Your name."

Skip Weaver: "I'm Skip Weaver."

Supervisor Walter: "Where are you from, Skip?"

Skip Weaver: "Wading River."

Supervisor Walter: "All right. Who else wants to say something? Go ahead, come on up."

(Inaudible)

Sean: "I am Sean and we are here to ask interesting questions and find out what the town supervisor does."

Supervisor Walter: "I wish I knew."

Councilman Dunleavy: "Does anyone else want to speak?"

Councilman Wooten: "I want the answer."

Supervisor Walter: "All right. If you guys have questions because it's difficult for the audience to hear, just raise your hand and at the appropriate time we'll recognize you and we'll let you speak. With that microphone right there, we can kind of pass it up there if there's something that needs to be said.

We're going to do-- we have two very riveting public hearings today. I mean you guys are going to be on the edge of your seats. Oh, that's not you. Oh, it doesn't start for a few minutes.

John, I'm sorry, cut ahead of you. Can we get a motion for the town board minutes?"

Councilman Dunleavy: "Yes. I want to make a motion that we approve the town board minutes of September 5, 2012. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes;

Walter, yes. The minutes are approved."

Supervisor Walter: "Okay, Correspondence."

Diane Wilhelm: "Okay under Correspondence."

**CORRESPONDENCE:**

Tara Ragona	letter regarding the Wading River corridor study
Jenn Hartnagel Group for the South River Fork	letter regarding the Wading River corridor study
Frederick Terry	letter re a right of way that was obstructed due to a special event that took place on September 8, 2012 at the 4-H property on Sound Avenue
Anthony Strollo, Jr.	letter regarding public hearing of September 5, 2012, special permit petition of Ottoman Enterprises
Philip J. Kenter	letter regarding public hearing of September 5, 2012, special permit petition of Rosa's Cafe, Inc.
Dennis Kenter	letter regarding public hearing of September 5, 2012, special permit petition of Rosa's Cafe, Inc.
Karen A. Hoeg Twoemy, Latham, Shea, Kelley Dubin & Quartararo	letter regarding public hearing of September 5, 2012, special permit petition of Rosa's Cafe, Inc.

**APPLICATIONS (pending town board approval):**

Chapter 90	special event - Riverhead MTAS
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dog costume parade at Isaac Dog  
Park, EPCAL - Oct. 8, 2012

Chapter 90

special event - event power  
triathlon, Main Street, Riverhead  
and riverfront parking area -  
June 20 & 30, 2013

Chapter 90

special event - competitive  
events - triathlon, scout  
reservation, Wading River - Aug.  
17 & 18, 2013

Supervisor Walter: "Okay, so we want to make- since the triathlon wants to come for June 29 and 30<sup>th</sup> because the tides are the right way for the event, there is talk that the Vail Leavitt wants to hold the Blues Festival on the north side of the road so I thought- and I think Chief Hegermiller is there to defend himself, he may not be completely on board with it yet but hold them both the same time and really rock downtown. And that way, Vail Leavitt is going to have thousands of people- "

Councilman Wooten: "The triathlon is a Sunday morning, is that right?"

Supervisor Walter: "Yeah. So we'll have to- yeah, we'll have to adjust the times to make it work. I think that's really- we're really going to rock that triathlon.

So I think the Vail Leavitt is going to do it, but we haven't seen that application.

Okay, go ahead, Diane."

**REPORTS:**

Police department      monthly report, August, 2012

Building department   monthly report, August, 2012 -  
\$148,677.72

Budgets                      IDA submitted their 2013 budget

Diane Wilhelm: "And that's it."

Supervisor Walter: "Any other committee reports? Okay, no."

Councilwoman Giglio: "Other than- all the historic district signs are now placed throughout downtown so you'll notice that Riverhead downtown area is on the national register of historical significance. So you'll notice that by the signs that are set up on the boundaries of a historic district."

Supervisor Walter: "Okay, good. The Wading River- four resolutions for Wading River are going to be tabled today so Wading River people that are out there talking about- people out there that want to talk about it, they're going to be tabled and we're going to discuss them- Jill, this Thursday or next Thursday- I don't know what the calendar looks like for this Thursday. Okay. This Thursday. So two days from now so we'll discuss it one last time I think and then try and move forward with that."

So, you know, guys, on October 6<sup>th</sup> we're going to have a dog costume parade, have you ever heard of that? Does anybody dress up their dog? Well, you're going to get an opportunity if you come to Riverhead MTAS costume parade at the Isaac dog park at EPCAL. So dress up your dog- "

Councilwoman Giglio: "Or dress up like a dog. Put a costume on."

Supervisor Walter: "And it's for charity. All right."

Now we are going- prepare to be riveted. This public hearing is going to set you back on your heels."

Public hearing opened: 7:12 p.m.

Supervisor Walter: "This is for the consideration of a local law amending Chapter 26 entitled officers and employees of the Riverhead town code. Excited?"

7:10 having arrived. We're going to open that public hearing that I've just stated and this is a public hearing- we have a new town planning and building department administrator



and the town wants to give him certain powers of zoning in the town and this public hearing basically is for the public to give input about these new powers being given to this zoning--town building and planning administrator.

And that's it in a nutshell.

Does anybody wish to be heard on the matter? Not seeing anybody, I guess it wasn't as riveting as I thought, huh guys.

What is today? Today is the 18<sup>th</sup>. We'll leave it open to September 28<sup>th</sup> for public comment-- written comment.

I'm going to close the public comment portion of the meeting and leave it open for written comment until September 28<sup>th</sup> in the town clerk's office."

Public hearing closed: 7:13 p.m.

Left open for 10 days for written comment to September 28, 2012 at 4:30 p.m.

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Supervisor Walter: "Okay. 7:15 almost having arrived, this is the consideration of a local law amending Chapter 108 entitled zoning of the Riverhead town code, supplementary use regulations."

Councilman Dunleavy: "This is another riveting hearing."

Supervisor Walter: "I'm looking for a clock that says 7:15."

Councilwoman Giglio: "Back to the-- I guess we're leaving this open for written comment, but shouldn't this be also for-- so he can determine the compliance of signs and things like that, building department matters? It's not in there."

(Some inaudible discussion)

Councilman Dunleavy: "I thought we were going to re-do this whole section about the signs. We only extended it six

months. I mean, I thought we had discussion that- "

Supervisor Walter: "The sign has nothing to do with it."

Councilman Dunleavy: "It does. Because we're extending it from six months to one year."

Supervisor Walter: "No, Jodi asked a question on the previous public hearing."

Councilman Dunleavy: "Oh, okay."

Councilwoman Giglio: "Yeah."

Councilman Dunleavy: "All right."

Supervisor Walter: "Submit your written comment."

Councilwoman Giglio: "Okay, I will."

Supervisor Walter: "Because the previous public hearing is closed but I see there is a problem in here because, Bob, if you look, it says the director of planning shall not have the authority- so it's really- the director is planning, it's not right."

I think that's a de minimis change to it."

Robert Kozakiewicz: (Inaudible comment)

Supervisor Walter: "Got it. All right. No, you're right. You're right. You've got to submit your written comments. I closed the- "

(Some inaudible comments)

Supervisor Walter: "All right. So now we're at 7:15."

Councilwoman Giglio: "That was exciting though, right?"

Supervisor Walter: "I've got to open it first."

Councilman Dunleavy: "Okay."

Public hearing opened: 7:15 p.m.

Supervisor Walter: "7:15 having arrived, we're going to open the public hearing for consideration of a local law amending Chapter 108 entitled zoning of the Riverhead town code, Article XIII supplementary use regulations Section 108-56.1 sign permits."

Councilman Dunleavy: "I thought we were going to re-vamp this whole section."

Councilwoman Giglio: "Well this we needed to do before the end of October, 2012."

Supervisor Walter: "Right. Just so the non-conforming signs don't- well, the signs turn into illegal signs."

Councilman Dunleavy: "Illegal signs."

Councilwoman Giglio: "Okay."

Supervisor Walter: "So that's what this does. Our ordinance was a little- what I would call anti-business. It had non-conforming signs. These are signs, guys, that were put up maybe on some of the old businesses, maybe 20, 30, even five or 10 years ago, and you'd have to get rid of them by October 18, 2000- seven years, right, by October 18, 2012. And we didn't want to put the extra burden on the businesses to have to get new signs so we let them be allowed to be non-conforming signs unless they were discontinued for a period of one year or more.

Now this mirrors the rest of the town code. So now you know everything about it."

Councilman Dunleavy: "That's right."

Supervisor Walter: "Does anybody else wish to be heard on this?"

Dominique Mendez: "Hello. Dominique Mendez- ooh, it's floppy."

Councilwoman Giglio: "Move the arm up. There you go."

Dominique Mendez: "Yeah. Okay. Dominique Mendez, Riverhead Neighborhood Preservation Coalition, Wading River.

So, you were just talking about the sign code and the purpose of the sign code by the way, kids, is- this is going to be complicated for them, perpetuate the open character and rural appearance of the town, promote good community planning, and positive aesthetic environment, protect property values, recognize the economic importance of attractiveness of property sited and well designed signs, preserve the historic character and architectural heritage of the town.

The intent is to coordinate the type, placement and scale of signs within the various zoning use districts, to recognize the commercial communication requirements of all sectors of the business community, reduce distraction and obstructions which may cause motorists confusion, impair visibility and lead to accidents, reduce hazards that may be caused by signs overhanging, projecting into or otherwise obstructing public rights of way, and avoid detracting from the legitimate identification of businesses, street names or street numbers.

It's probably no surprise with that sort of intent and that sort of purpose that the RNPC believes a code with this intent and purpose has value because we believe in protecting the character and appearance of our town, as well as the safety of our residents.

I would hope this town board does too and I must assume of course that you do.

We don't want our roads clogged with signs like so many stretches of road to the west and we can't rely on businesses to self-regulate for it's clear that looking west that many would think it's in their best interest to put up numerous bigger and bolder signs close to the streets to attract customers.

I think we all know that's, you know, what they'll do, that's what businesses do.

So that's why having a sign code is important. The section of the code you're considering removing reads all signs must comply with the provisions of this chapter within seven

years from October 18, 2005. It was written seven years ago.

Businesses who have non-conforming signs whether they are the old signs that pre-dated this legislation in 2005 or signs put up after the law was passed in violation of the code were given a full seven years to comply with the chapter.

I know that you had- you also had a sign code employee, I think he worked for the building department, who tagged all the non-conforming signs and made the business owners aware of this seven year deadline.

So it's not like it should be a surprise to anyone. It's not like the town isn't already prepared to enforce the code and you've already invested significant staff time to be ready to enforce the code.

Seven years to me seems like plenty of time to erect a sign that complies especially as they have so much notice.

I know this board is highly sensitive to imposing anything that anyone might try to position as a burden to businesses in the interest of being business friendly and all as you mentioned. But the modest expenses some businesses may incur are not the only factor to consider.

I ask you to consider the safety and aesthetic reasons for which the code was originally adopted. After all, it's not solely the interest of business owners that you're charged to represent, it's also the interest of the people that chose to live in this town.

Whether or not you omit the seven year deadline, I suggest you amend Section E-1 which reads and this is in the current code: any sign legally existing on the date of adoption of this chapter of the town code may be continued although such sign may not thereafter conform to the regulations of the district in which it is located.

I think you should add to that: until it needs to be altered or replaced for any reason at which time the new or altered sign must conform to all the provisions including the design, size and location provisions of this code, or something to that effect, not exactly that.

Then if you decide to remove this looming deadline at least the public can expect that in time when these signs get old, because they have a life span, that they will be replaced by signs that conform to the code.

As far as the change to allow a non-conforming sign to be re-established where a non-conforming use has been discontinued for a period of a year instead of six months, I agree that probably makes sense.

After all non-conforming uses can lapse for up to a full year before that use is no longer legal. But that should only apply if they want to keep the existing sign that had remained up.

If a business puts up- wants to put up a new sign, then it should be made to conform, just as if they were continuously operating a business and replacing a sign.

Finally I'd like to take this opportunity to suggest that the sign code should be enforced more than it seems to be as evidenced by more and more off premises real estate duplicate overall excessive signs which seem to be popping up around town.

The law is on the books and I ask you to enforce it more regularly and write tickets when businesses don't comply to help pay for the staff time.

Some of you may not mind it if businesses have numerous signs all over the place, around their property, and also around town but I don't think that necessarily reflects how residents feel.

And laws should not be based on what you may- one or two of you may like or personally dislike. They're based on what's best for the town in the long run.

I'm confident that most people who choose to live in the relative country, this is relative country for Long Island, if they knew about it, would support restrictions on signs.

It's very safe to say that most of us don't want to be assaulted by obnoxious signs, each trying to outdo each other

when we're driving down the road.

So please reconsider and retain the impending deadline for compliance of this sign code. After all, it had seven years. And consider making it even more clear that non-conforming signs cannot be replaced with anything but a conforming sign."

Councilman Wooten: "Doesn't #4 address that somewhat though, except maybe we can add some verbiage into #4."

Dominique Mendez: "Let me look at #4."

Councilman Wooten: "E-4. Maybe we can add in there, or make it- or deteriorating maintenance or something."

Councilwoman Giglio: "I- that's how I had originally proposed it but I agree with you. I think that if a new business is coming in and they're changing the sign that they should move the sign into a conforming location. The sign should conform to the code. But there was a consensus on the board for that.

I agree with you there.

But I don't agree with you with the seven year deadline because you can't ask an existing business to go and change their sign after seven years. Everybody in the town, if your sign is pre-existing, non-conforming, it's pre-existing.

All the signs that are coming in now have to meet the current code and the current guidelines and they come before the architectural review board and the architectural review board advises them that come October 18, 2013, the sign ordinance is changing and they have to come into conformance.

So most of those new signs for the last seven years have been put in the proper locations. So- and meeting the new code.

But as far as a sign that's been there for 10 years or even eight years, you know, you shouldn't be as a business owner expected to take the sign down and put a new one up."

Dominique Mendez: "Well, the reason it was is for safety

and aesthetic reasons, that's why they were given a full seven years. And we're talking about signs, not buildings. So the expense isn't, you know, astronomical. I mean some signs can be more expensive but most of them aren't astronomical.

And it's not as if you're asking them to do it arbitrarily. You gave them seven years. And it is for a reason, for aesthetic, for safety reasons, so it really isn't arbitrary.

And I think, yes, you consider that but you also consider the benefit to the public and, again, they've had seven years and they were notified. But if you chose not to do it, at least when the signs come down and be changed, an act of God, anything, certainly even an old business should be made to conform.

And we're talking about seven years ago, so I mean most of the businesses were around for seven years, that would mean most of the signs would be able to stay non-conforming and, so, you know, that's not what was intended.

It was intended that this-- the look of this town would actually improve at this point and that's what you'd be kind of un-doing and it would just take a hell of a lot longer to get there. I mean for as long as it took for those signs to start-- excuse me, to fall down."

Councilwoman Giglio: "But you know what, Dominique. You also have to take into consideration that the zoning code allowed buildings to be much closer up to the road frontages. So if those signs had to come into conformance today, the sign would be 20 feet past the building in the side yard or in the rear yard. It's impractical."

Dominique Mendez: "No. Those signs would get variances. There would be times where there would certainly be variances."

Councilwoman Giglio: "But the town would be inundated with variance applications, the sign-- we don't have a sign inspector so we've asked the building department-- the supervisor has asked the building department to step up and take a look at these signs that are existing, and the chief of police and our officers.



If there's a matter of life, health, safety, welfare, they're going to go and they're going to write- the supervisor is going to write a letter to the people saying hey, someone could get killed because your sign is blocking the view and I'm sure that those people would cooperate and move the sign."

Councilman Dunleavy: "That's right. Yes."

Councilwoman Giglio: "So I don't know. I agree with some things you said. Other things I don't. And we've bantered back and forth on this and the code revision committee, and you know it's- I think that the drop dead date, change your sign, everybody on October 18, 2012 is unrealistic."

Councilman Dunleavy: "And you've got to realize, too, with the economic times we're in, these businesses are not making the money they made back seven years ago. I mean things have dropped off, businesses have- are doing 50% of the business or even 30% of the business they did seven years ago.

So we have to help these businesses and these signs can cost a lot of money."

Councilwoman Giglio: "Yes."

Councilman Dunleavy: "If- like a shopping center. If one store leaves and they put a new store in, they'll have to change the whole sign to conform with this code. So we have to- we have to put our foot forward and say we're going to help you people over this economic times and so that's what we're trying to do and like I said this whole section has to be re-defined and looked at and that's why we're extending it for six months, so it gives us the time to look at it and say what are we going to do with it."

Dominique Mendez: "Do you guys want to address that?"

Supervisor Walter: "I would argue one last thing, too. I think this code perpetuates pre-existing non-conforming signs falling apart and there's a reason for that.

Pre-existing non-conforming businesses, if you- using your logic, if you have a pre-existing non-conforming sign, if the

sign starts to fall into a state of disrepair, if you wanted to replace it looking exactly like it did, you couldn't do it. You'd have to go through the expense of getting a brand new sign."

Dominique Mendez: "Yeah. You'd have to get a brand new sign anyway."

Supervisor Walter: "Well, you don't have the money to do that or you don't want to spend the money, the people are going-- you look at me strange, but businesses, you know, they have to earn the money before it's spent."

Just because we put an arbitrary figure on something-- but just because we say they could pay for the sign, it doesn't mean they have the money and so back to my original point, is that the sign as it falls apart, if somebody just wanted to repaint the same exact sign, by your logic you wouldn't be allowed to do that. You'd have to go through the expense of going potentially to the zoning board of appeals which the application for commercial is either four or five hundred dollars plus a survey. You could be into a \$5,000 sign that's very small. That's a huge expense."

So why would we do that? Why wouldn't we want people to take their non-conforming sign and be able to refurbish it so that it looks exactly like it did before? I think that makes a lot more sense."

Dominique Mendez: "Because why would you want to continue the non-conforming sign if the sign code is written for a reason for aesthetic and safety reasons. What you're saying is all businesses that were there seven years, which is most of the businesses have been here for, you know, for at least that period of time."

It's not like most of the businesses in Riverhead town and hamlets are newer than seven years."

Supervisor Walter: "Half the signs on Route 58 were probably put in before 2005, probably would have to be replaced."

So you are saying to me that we should go out because all

of these signs- I don't know, Pier I, the Home Depot shopping center. Those were all probably attained before 2005. So if Pier I goes out of business and Home Depot has got- that shopping center has one style of sign that's not in conformance, this sign code would require that entire shopping center to get new signs. That's a waste of money.

I disagree with you."

Councilman Dunleavy: "I mean sometimes you've got to be working with businesses to keep businesses here to employ people and if we start putting these regulations in that cost the businesses money, they're not going to sustain themselves and they are going to go out of business and we're going to lose more people working- "

Dominique Mendez: "I'm not asking anyone to put additional regulations. This is something so everyone understands that's already in the code. The previous town board decided it was a good idea. So I'm not asking for new burdens to be put on anyone."

Supervisor Walter: "This town board is weighing whether they had the right judgment or not."

Dominique Mendez: "I understand that and that's what I wanted to weigh in on and also give you some other suggestions in addition- "

Supervisor Walter: "I just enjoy the banter back and forth."

Dominique Mendez: "That's why I do it, Sean."

Supervisor Walter: "You made my evening. Thank you, Dominique."

Dominique Mendez: "I'm happy to do so. I'm sure I'll make your evening in another two weeks."

Supervisor Walter: "Sid Bail. Sid Bail is from Wading River. Even though that young man is from Calverton."

Councilman Dunleavy: "Wading River Civic Association.

How are you?"

Sid Bail: "Hello. Good morning. Morning? Good evening. Sid Bail, President of the Wading River Civic Association.

In a previous life I was a teacher for 32 years in the Middle Country School District, Centereach, Selden, Lake Grove. Great community, great people, great students. There's one of the students up there. One of my other- "

Supervisor Walter: "What did you teach?"

Sid Bail: "Social studies. One of my other students is running for town supervisor in Brookhaven, Brian Biedenbender (phonetic). Okay."

Supervisor Walter: "What high school did you teach in?"

Sid Bail: "Oh, Centereach and- "

Supervisor Walter: "What years were you- "

Sid Bail: "'82 to '98."

Supervisor Walter: "I went to Newfield the time you were there."

Sid Bail: "That's right. You- "

Councilman Dunleavy: "That doesn't make you a bad guy though."

Supervisor Walter: "I didn't have you. I don't remember what- "

Sid Bail: "It is a public hearing and the- one of the things about the community I worked in that wasn't so nice was the appearance of Route 25 where you had sign after sign after sign. It was tower of babble, all right. And it's something that even today hasn't improved that much.

That's why seven years ago when the town board, the then town board adopted the new sign code, we were extremely

supportive.

I agree more obviously with what Dominique said than what the supervisor espoused, but the point I want to make is I don't see this as anti-business. I see this as pro-community presenting the best face for hamlets and downtown Riverhead and maybe any future businesses that go in at EPCAL.

So to simplify things, you know, the intent is not to hurt businesses and maybe this thing can be massaged and improved over what it is right now.

Okay? Thank you."

Councilman Dunleavy: "That's what I said. It has to be looked at and massaged a little bit so we can-- I drive 58 all the time and I really look at all these signs and, you know, I think they're proper. They don't overwhelm me with these signs. So, you know, that's my own thinking."

Sid Bail: "Thank you very much."

Steve Romano: "Good evening, Steve Romano, Riverhead."

Supervisor Walter: "Steve, how are you doing?"

Steve Romano: "Okay. I support this supervisor's position when it comes to signs. Actually I would go further. This is more than any state. And it is-- the intentions are good.

It is an expense for businesses and we've got to, you know, we have to use some commonsense.

And my question would be with all the other things that are on the plate with the town, this seems to be almost frivolous in my opinion.

Where does one complain if one were to complain about a sign because I agree with Mr. Dunleavy. I've driven through the town of Riverhead and I haven't seen anything that at least --aesthetically to me or is obnoxious or is a safety hazard but I guess the question would be is if you're working on this or when the town board did, was there numerous complaints and

if so how many complaints do we get about signs?"

Supervisor Walter: "It wasn't numerous because I was in the town attorney's office at the time. It was a particular council member and a particular person in the building department that signs were kind of a pet peeve and they spent, I'm going to say hundreds of hours working on the sign code.

I think they went to public hearing two or three times before they adopted this code so, you know, I did code enforcement for the town. It wasn't a huge issue."

Steve Romano: "So on an annual basis, we don't keep a record of how many complaints we get?"

Supervisor Walter: "Well, the building department would have that and code enforcement."

Steve Romano: "Do we have any idea? Because I mean you know it sounds like- "

Councilman Dunleavy: "I don't think we get many."

Supervisor Walter: "I don't- I can't speak for- "

Councilwoman Giglio: "You know what? There are good things about the sign ordinance and there are bad things about the sign ordinance and, you know, there are some good things, there are some valid points.

There are, you know, banners that are left, you know, that are- that the sign ordinance says you can't have which I think we should change as long as they're kept in good condition but once they start getting tethered, you know, it really doesn't look nice.

So, you know, there's got to be a balance and it's moving forward. Because you can't punish the people that have already been here and (inaudible) their business and put their signs up and people recognize their signs when they drive by, and ask them to just, you know, October 18, 2012, put up a new sign."

Steve Romano: "No. I agree. Like I said, I would just- I would go further and say if we're not getting inundated with

complaints it's something— why do we even address it?"

Councilman Dunleavy: "No. I don't think we are."

Steve Romano: "And just for some history because I go back, I may be not as old as Sid but I'm close, Henrietta Acampora when she ran for supervisor in the town of Brookhaven, yeah, she was the one that started the sign ordinances and what it was all about, what I remember, was those silly little portable signs that they would come in with a trailer, towed them, and they were all over the place. They were like flashing lights.

As I said, it was good intentions but then it gets to (inaudible), every little nook and corner and cranny are telling you how to put a sign up.

Come on, give me a break.

Thank you."

Councilman Dunleavy: "Thank you very much."

Supervisor Walter: "All right. Does anybody else wish to be heard on the sign ordinance or the tenure of teaching of Mr. Sid Bail? Nobody. Okay.

We're going to close the public hearing and leave it open for written comment until September 28 at 4:30 in the town clerk's office."

Public hearing closed: 736 p.m.

Left open for written comment for  
10 days to September 28, 2012 at  
4:30 in the town clerk's office

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Supervisor Walter: "Okay. Now we're going to open it up for written comments— public comments on resolutions."

Councilman Dunleavy: "Welcome back."

Sal Mastropaolo: "Thank you."

Supervisor Walter: "Yeah, we were a little nervous on our last go around. This gentleman back checks and proofreads all our resolutions so you know how the teachers read your stuff and if there's something wrong, they circle it? This gentleman does that for us."

Sal Mastropaolo: "742. Baiting Hollow Club residential subdivision. Is that 55 and over?"

Supervisor Walter: "No, the town attorney is saying."

Sal Mastropaolo: "No?"

Councilman Dunleavy: "No, it isn't."

Sal Mastropaolo: "This is the first- I mean and I come to all these meetings. This is the first time I've ever heard of a residential subdivision in the Baiting Hollow club."

Councilwoman Giglio: "No. This is the- this is the property that's situated to the east of the Baiting Hollow Club. It's a separate tax lot on Warner Drive where they have acreage that permits them to subdivide it to create residential homes."

Sal Mastropaolo: "And it's not- "

Councilman Dunleavy: "Well their site plan was approved."

Councilwoman Giglio: "It's not part of Baiting Hollow Club."

Councilman Dunleavy: "This was on their site plan."

Sal Mastropaolo: "Okay."

Robert Kozakiewicz: "It was a site plan component which was called the Baiting Hollow country club, the clubhouse. It was also a residential subdivision component. The residential subdivision component, there was water key monies, the prior owner went (inaudible) and there is a new party that's looking



to pursue it so they're depositing a new set of water key monies."

Sal Mastropaolo: "Okay. When I read it, I thought it was part of the club and my other concern was is this going to set precedent for Cherry Creek and the Woods."

Councilwoman Giglio: "No."

Robert Kozakiewicz: "No."

Sal Mastropaolo: "Okay."

Supervisor Walter: "No, but it would be nice to get that water key money."

Sal Mastropaolo: "744. There's 744 and there's 745 which are two resolutions on the no left hand turns out of 7-11 and TJ Maxx. I was thinking about this tonight when I was sitting there."

The reason for these two resolutions is- was safety, okay, making a left hand turn across a double lane. You're taking a single situation, one left hand turn, and replacing it by five- well in the 7-11, by four situations and in the TJ Maxx by five.

Because now somebody that wants to go south on Roanoke has to make a right hand turn out of TJ Maxx, that's the first one."

Supervisor Walter: "Go north on Roanoke."

Councilman Dunleavy: "North on Roanoke."

Sal Mastropaolo: "Wants to go north, I'm sorry. Makes a right hand turn out of TJ Maxx, that's the first decision, has to merge in with the traffic on the circle, that's the second, has to merge in with the traffic on 58, that's the third- "

Supervisor Walter: "Well, they can go around the traffic circle."

Councilman Dunleavy: "You have to go around the circle."

Sal Mastropaolo: "Yes. But every time they come to another intersection, that's another chance for an accident. So they now have to encounter cars going east on 58, encounter cars going north on Roanoke coming into the circle, then encounter cars going west on 58 in the circle, to then get off.

So you take one motion, coming out of TJ Maxx to make a left and replace it by five decisions, five chances for an accident. Okay.

In the 7-11, you replace one move with four."

Supervisor Walter: "It doesn't sound good when you say it that way."

Sal Mastropaolo: "Well, and it's adding traffic to the traffic circle which is already a problem. So I think you should reconsider this. If you are truly looking at safety, you're taking a single move and replacing it with five merges. That's five chances of accidents. Okay."

Councilman Dunleavy: "But those five merges are safer than going across- "

Sal Mastropaolo: "No. I beg to differ with you, John. I get to differ with you, John. That traffic circle, particularly with some of the senior citizens is very difficult.

I come into that traffic circle almost every day and you see people shoot across. They don't know if they can make the move or not. This is really a dangerous situation that you're going to create."

Supervisor Walter: "But you know what? I think it's more dangerous and I'm trying to be objective about this. Because if you're in that 7-11, you are so close to that traffic circle, if you're trying to make a left out of 7-11 to head north on Roanoke, you can't see the guy on the back side of that traffic circle and if he or she is coming quickly and you're kind of going out slowly, there's a chance for an accident. There's no visibility."

Sal Mastropaolo: "Sean, to tell you the truth, when I

was reading this, the first one that I was commenting on was coming out of TJ Maxx and that's when I counted how many interactions you have going around the circle and then I said to myself I need to back up one more resolutions because 7-11 is the same situation, just that it's only four.

So I mean my original concern was coming out of TJ Maxx but they both hold true. You are taking a single move and in one case replacing it with four moves and then the other one with five.

So if you're really concerned about safety, I think you should revisit it."

Councilman Dunleavy: "What I'm saying is I go through that traffic circle maybe seven times a day and I don't see what you see there, but I see people coming down Roanoke Avenue on the right turn lane to go into the traffic circle, looking to the west or to the east, and seeing if anybody is coming around it and they do not see the traffic that's pulling out of 7-11 and that's what I'm concerned about, is that people pulling out of 7-11 and going across that lane where the guy is looking in this direction and they're pulling out."

Sal Mastropaolo: "Okay. Let me ask a question. How many accidents have we had people exiting TJ Maxx going north on Roanoke, okay?"

Councilwoman Giglio: "Well, you know, you have the exit from TJ Maxx and you have the exit from 7-11. So if you have somebody leaving 7-11 that's heading north and then you have the person that's parallel to them heading south at the same time and then you have people that are heading north making a left into the 7-11, I mean it's really, the whole intersection is wrong and I agree with Jim what he said last time, that we should be putting a median in the middle, you know, all the way through those aprons so the people can't make a left hand turn when they're headed north coming out of the circle into the 7-11 or the TJ Maxx because that's really the problem, I think."

Sal Mastropaolo: "Okay. I agree with you, it's not a good situation but consider what I just said. I think from a safety point of view, you're not making it any better because of the traffic you're adding to the circle and the fact that

they have those five merges to now deal with.

And I rest my case."

Councilwoman Giglio: "I go to that 7-11, I get my coffee, and when I do I exit onto Route 58. I don't exit onto Roanoke Avenue to go around the traffic circle and I'm afraid to make a left there."

Sal Mastropaolo: "To go north?"

Councilwoman Giglio: "I'm afraid to make a left there to go north. I'm afraid that I'm going to hit somebody that's going across the street going to the hospital or that someone is going to be coming out of TJ Maxx so I exit- "

Sal Mastropaolo: "Okay. Let me ask a question. Did anybody consider maybe closing the exit of 7-11 and letting them go out the TJ Maxx exit- a cross easement?"

Councilwoman Giglio: "We did talk about that."

Sal Mastropaolo: "I mean that might be a better solution."

Councilman Wooten: "I'd like to see it one way into TJ Maxx and utilize the light on 58 to get back onto traffic."

Sal Mastropaolo: "That might be better, too, except for one thing. You have a lot of trucks that use that roadway to deliver and then exit out onto Roanoke."

Councilman Wooten: "Well it would be one way in- "

Councilman Dunleavy: "If you remember, it used to be one way and then they changed that to two ways again. It was two way, they changed it to one way, and then they changed it back to two ways again."

Councilman Wooten: "It should be one way in."

Councilman Dunleavy: "Yeah."

Sal Mastropaolo: "Well, just consider the safety issue."

Supervisor Walter: "What else have you got?"

Sal Mastropaolo: "That's it."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Anybody else wish to be heard on the resolutions? Not seeing anybody- Matt, no."

Matt Hattorff: "Matt Hattorff."

Supervisor Walter: "How are you doing, Matt?"

Matt Hattorff: "Okay. I'm sure you're not surprised that I'm here."

Resolution 728, temporary deputy tax receiver's office. Sean, you and I had a discussion about this. I really haven't had too much discussion with the rest of the board but if this- if you guys pass this resolution I'll be filing the paperwork tomorrow morning just so you know."

Supervisor Walter: "We'll work it out. Thank you."

Sal Mastropaolo: "Sean, I do have one other comment."

749, the fourth whereas, it says demand that additional payment for extended overhead and inefficiency costs. Is the \$483,000 or the \$679,299 that they demanded payment, is that the additional payment over and above the contract? Or was that the total amount that was due them?"

Robert Kozakiewicz: "The bulk numbers were the final payment to final out the job."

Sal Mastropaolo: "Okay. So it's not the additional payment. Because the fourth whereas says whereas due to the aforementioned unforeseen site conditions, RCC has under threat taken legal action, demanded additional payment for extended overhead and inefficiency costs."

Robert Kozakiewicz: "That was part of their claim for the 679. That's how they arrived at the 679. They were claiming that due to the delays with respect- "

Sal Mastropaolo: "So that's the additional payment over and above what was originally contracted?"

Robert Kozakiewicz: "That was an additional amount that they were looking for outside the contract, correct."

But that was inclusive of what they were otherwise due so I mean, the 679 was the 400 something that was properly set forth in the various change orders but they were also looking for- I think it was something like \$279,000 in inefficiency and delays."

Sal Mastropaolo: "Well, let me ask a question. When we sign contracts like this and we do change orders, don't we associate a dollar figure with every change order?"

Robert Kozakiewicz: "Yes."

Sal Mastropaolo: "Before we approve it?"

Robert Kozakiewicz: "Yes."

Sal Mastropaolo: "So when we got to the end of the project, then whatever they were asking for, there shouldn't have been any contention about it because we've already approved the pieces every time we did the change order, right?"

Supervisor Walter: "Yes."

Robert Kozakiewicz: "In theory, yes."

Supervisor Walter: "Sal, you're right."

Sal Mastropaolo: "Thank you."

Supervisor Walter: "If nobody else wants to talk on resolutions, I didn't realize that the Webelos would like a picture with the town board so we're going to break for a second, take a picture so they can go home because they've got school tomorrow."

Councilwoman Giglio: "Look at them. They're on the edge of their seats to go home."

Supervisor Walter: "All right. Come on up, guys. Sean, what's your question?"

Councilman Dunleavy: "Come up here to the mike. We have one more question."

Sean Macki: "Why did you want to be- oh- "

Supervisor Walter: "Why did I want to be town supervisor?"

Sean Macki: "Yes."

Supervisor Walter: "God made me do it. Thank you young man."

All right, we're going to do resolutions. My wife has just e-mailed me by text that the lights are out at my house, can I come home?"

Councilman Dunleavy: "That's because of the storm, I guess."

Supervisor Walter: "If we lose power here, I don't think Ken ever got this room on generator."

All right, Diane, let's call the resolutions."

Councilman Dunleavy: "You guys have a nice night, okay."

Councilwoman Giglio: "Good night."

Resolution #719

Councilman Dunleavy: "Resolution 719 ratifies business improvement district budget adjustment. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, no. The resolution is adopted."

Resolution #720

Councilman Wooten: "Highway district budget adjustment.  
So moved."

Supervisor Walter: "And seconded."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes;  
Walter."

Supervisor Walter: "No. Because I don't remember which  
one that was."

Diane Wilhelm: "So you're voting no."

The resolution is adopted."

Resolution #721

Supervisor Walter: "Auction of town's disposed assets.  
So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes;  
Walter, yes. The resolution is adopted."

Resolution #722

Councilwoman Giglio: "Riverhead scavenger waste district  
budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes;  
Walter, yes. The resolution is adopted."

Resolution #723



Councilman Dunleavy: "Solid waste management plan budget adjustment. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "The engineer saved us a lot of money in our solid waste and so this is a small price to pay for the million dollars the town save in garbage pick up.

I'll say yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #724

Councilman Wooten: "2012 police grant computer equipment budget adoption. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #725

Supervisor Walter: "Ratifies the attendance of one police department employee to the drug recognition expert training. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #726

Councilwoman Giglio: "Approves leave of absence for military reasons for a police department employee. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #727

Councilman Dunleavy: "Terminates a part time police officer. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #728

Councilman Wooten: "Appoints a temporary tax receiver. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #729

Supervisor Walter: "Appoints a temporary part time groundskeeper. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #730

Councilwoman Giglio: "Authorizes the attendance of police department employee to council for unity training. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #731

Councilman Dunleavy: "Classifies action and declares lead agency on change of zone petition of Genrac Associates, LLC and refers petition to the planning board. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #732

Councilman Wooten: "Extends a bid contract for truck parts with Long Island Truck Parts, Inc. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #733

Supervisor Walter: "Authorization to publish

advertisement for paint for the town of Riverhead. So moved.

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #734

Supervisor Walter: "Authorization to publish advertisement for sporting goods for the town of Riverhead. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #735

Councilman Dunleavy: "Appoints a call in recreation aide I to the recreation department. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #736

Councilman Wooten: "Appoints a call in recreation aide I to the recreation department. So moved."

Supervisor Walter: "And seconded."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes;

Walter, yes. The resolution is adopted."

Resolution #737

Supervisor Walter: "Appoints a recreation specialist level I to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #738

Councilwoman Giglio: "Appoints a call in clerk to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #739

Councilman Dunleavy: "Appoints a recreation aide I level I to the recreation department. So moved."

Councilman Wooten: "Second."

Supervisor, Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #740

Councilman Wooten: "Awards bid for sanitary sewer rehabilitation - Contract No. RDSD 12-01S for the sewer construction Riverhead sewer district. So moved."

Supervisor Walter: "Seconded."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten."

Councilman Wooten: "I hate saying so moved when talk about sewers. Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #741

Supervisor Walter: "Approves Chapter 90 application of Robert Castaldi, Suffolk Theater - East End Arts meeting - September 20, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten."

Councilman Wooten: "Did we get this-- I saw the fire marshal down there today. Was that all squared away?"

Supervisor Walter: "Yeah. (Inaudible)."

Councilman Wooten: "Okay, yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Councilman Dunleavy: "And I just wanted to say something about the Suffolk Theater.

He wants to be open by New Year's Eve and have a New Year's Eve party there. So he's moving along and I have to thank him because he's really moving now. We're supporting him."

Supervisor Walter: "Absolutely."

Councilwoman Giglio: "And this resolution does say that it's subject to the approval of the fire safety inspection by

the fire marshal."

The Vote (Cont'd.): "Giglio, yes; Wooten."

Councilman Wooten: "What? Didn't we go around already. Yes."

Diane Wilhelm: "We're on-- oh, wait a minute."

Supervisor Walter: "742. Can you call Resolution 742?"

Resolution #742

Councilwoman Giglio: "Accepts irrevocable standby letter of credit of Darby Group Companies, Inc., water key money fees - Baiting Hollow Club residential subdivision. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #743

Councilman Dunleavy: "Accepts performance security of Darby Group Companies, Inc., Baiting Hollow Club residential subdivision. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #744

Councilman Wooten: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, Section 101-7 turns - driveway from 7-11 store onto Roanoke Avenue. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please. I was going to go for it."

The Vote: "Giglio."

Councilwoman Giglio: "The best thing for now and we're going to have to work on that intersection. Yes."

The Vote (Cont'd.): "Wooten."

Councilman Dunleavy: "The man is thinking."

Councilman Wooten: "I don't think it's the right solution. No."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

#### Resolution #745

Supervisor Walter: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, Section 101-7 turns - TJ Maxx shopping plaza to Roanoke Avenue. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, no; Dunleavy, yes; Walter, yes. Resolution is adopted."

#### Resolution #746

Councilwoman Giglio: "Adopts a local law to amend Chapter 108 entitled zoning of the Riverhead town code, parking schedule 108 attachment 1. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."



The Vote: "Giglio."

Councilwoman Giglio: "This is housekeeping. Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #747

Councilman Dunleavy: "Adopts a local law to amend Chapter 64 entitled Fire Prevention of the code of the town of Riverhead. So moved."

Councilman Wooten: "And I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #748

Councilman Wooten: "This approves additional temporary special event signs and waives sign fee for Chapter 90 application of Riverhead Foundation for Marine Research and Preservation, 5K run for the Ridley - October 20, 2012. So moved."

Supervisor Walter: "Seconded."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #749

Supervisor Walter: "Authorizes settlement with railroad construction corporation regarding rail spur rehabilitation. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #750

Councilwoman Giglio: "Authorizes an appraisal for real property located at 540 East Main Street, Riverhead, New York known as the East Lawn Building, SCTM#0600-129-3-35.2. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted. "

Resolution #751

Councilman Dunleavy: "Authorizes bow hunting for deer on town property- this is wrong. It's not deer, is it? It's- is it deer- of the town property at Enterprise Park at Calverton, SCTM#0600-135-1.7-33, et al, and 1751 Sound Avenue, Calverton, SCTM#0600-60-1-2 from October 8, 2012 to December 2, 2012 inclusive. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten."

Councilman Wooten: "My question is, this is the first time I've seen 1751 Sound Avenue. Is that the Esposito property that's been preserved for open space? Is there any conditions on that?"

Supervisor Walter: "We didn't last year."

Councilman Wooten: "Did they have that last year? Where did they park?"

Supervisor Walter: "Probably-- they only allowed one or two people-- "

Councilman Wooten: "All right. Yes."

Councilman Dunleavy: "Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #752

Councilman Wooten: "Adopts a resolution authorizing the supervisor to execute agreements to provide the County of Suffolk with assurance related to the dredging of Meetinghouse Creek located within the town of Riverhead. So moved."

Supervisor Walter: "And seconded."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #753

Supervisor Walter: "Approves Chapter 90 application of Riverhead MTAS, Inc. dog costume parade contest - October 6, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #754

Councilwoman Giglio: "Authorizes change order No. 2 interim and permanent treatment at well No. 17-1 contract G - general and mechanical construction Riverhead water district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #755

Councilman Dunleavy: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, Section 101-4 one way streets - St. John Place. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolutions #756, #757, #758, #759, #760

Supervisor Walter: "I'd like to make a motion to table 756, 757, 758 and 759."

Councilman Dunleavy: "And I second that."

Supervisor Walter: "760."

Councilman Dunleavy: "And I second all those."

Supervisor Walter: "Moved and seconded. Vote please to table."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 756, 757, 758, 759 and 760 are tabled." adopted."

Resolution #761

Councilman Wooten: "Motion to pay bills."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote bills."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes;

Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay."

Councilman Wooten: "We have two off the floor."

Diane Wilhelm: "I have authorizes participation in the development of a Suffolk County multi-jurisdictional comprehensive debris management plan."

Councilman Wooten: "Yes, that's 762. Bob, you said you might have another one now-- "

Robert Kozakiewicz: "This is 763."

Councilman Wooten: "I don't have copies."

Robert Kozakiewicz: "I handed them up."

Councilman Wooten: "Oh, I never got mine."

Councilman Dunleavy: "Yeah, 763. Oh, you never got it?

I make a motion we take 762 and 763 off the floor."

Supervisor Walter: "Second."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 762 and 763 are taken off the floor."

#### Resolution #762

Councilman Wooten: "762 authorizes participation in the development of a Suffolk County multi-jurisdictional comprehensive debris management plan. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #763

Councilwoman Giglio: "Approves use of municipal facility by Riverhead MTAS, Inc. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay. Does anybody wish to discuss anything that's on their minds tonight?"

Not seeing anybody, can I get a motion to adjourn>"

Councilman Dunleavy: "I make a motion we adjourn the town board meeting. So moved."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Supervisor Walter: "Thank you. Thank you everyone."

Meeting adjourned: 8:10 p.m.

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